

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

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In re:

KONSTANTINOS TZITZIFAS,

Debtor.



Order Filed on March 8, 2016 by
Clerk U.S. Bankruptcy Court
District of New Jersey

Case No. 14-20608-GMB

Chapter 11

Honorable Jerrold N. Poslusny,
Jr.

**CONSENT ORDER GRANTING GENERAL DISCHARGE NOT TO INCLUDE THE
LIABILITY ASSERTED BY THE NEW JERSEY DIVISION OF TAXATION**

The relief set forth on the following pages numbered two (2) through three (3) is hereby
ORDERED.

DATED: March 8, 2016

A handwritten signature in dark ink, appearing to read "Jerrold N. Poslusny, Jr.", written over a horizontal line.

Honorable Jerrold N. Poslusny, Jr.
United States Bankruptcy Court

1. On May 24, 2014, the Debtor, Konstantinos Tzitzifas (“Debtor”) filed a voluntary petition under Chapter 11 of the United States Bankruptcy Code.

2. The Debtor filed a Plan of Reorganization which was confirmed by this Court by Order dated November 28, 2015.

3. The Plan provided that the Debtor would make a one-time payment to unsecured creditors in the amount of \$110,000 to be paid pro rata to general unsecured creditors holding allowed claims.

4. On November 10, 2015, the Division of Taxation filed a Proof of Claim asserting liability in the amount of \$139,028.25 arising from an audit conducted by the Division respecting a corporation partially owned by the Debtor.

5. The Division amended its claim on January 15, 2016 to modify the amount due claimed.

6. The Debtor filed an objection to the Division’s Proof of Claim on November 18, 2015. The objection has not yet been resolved by the Court.

7. The Debtor filed a Report of Initial Distribution certifying that he paid the \$110,000 to unsecured creditors as required by the Plan.

8. The Debtor then filed a Motion for Discharge seeking a discharge of the remaining unsecured debt.

9. The Division of Taxation objected to the Motion, asserting that the Debtor is not entitled to a discharge from its claim which has yet to be resolved by the Court.

10. After conferring, the Debtor the Division have agreed that the discharge of the Debtor’s unsecured debts to all entities other than the Division of Taxation is appropriate.

Upon the consent of the Debtor and the Division, and for good cause shown, it hereby

ORDERED that a discharge under 11 U.S.C. § 1141 is granted to KONSTANTINOS TZITZIFAS as to all debts other than those alleged to be owed the Division per its Proof of Claim; and it is further

ORDERED that the dischargeability of the Division of Taxation Debts will be determined pursuant to a further Order of this Court.

The undersigned hereby consent to the form and entry of this Order:

McDOWELL POSTERNOCK APELL & DETRICK, PC

Attorneys for the Debtor

By: /s/ Ellen M. McDowell

Ellen M. McDowell

DEPUTY ATTORNEY GENERAL

TAX BANKRUPTCY DEBT RECOVERY SECTION

By: /s/Ramanjit Chawla

Ramanjit Chawla